S.B. Criminal Misc. Bail Application No.2896/2006

Date : 12.07.2006

HON'BLE MR.SATYA PRAKASH PATHAK, J.

Mr. R.K. Charan for the applicants.

Mr. Vishnu Kachhawaha, Public Prosecutor.

I have heard learned counsel for the applicants as well as the learned Public Prosecutor for the State and carefully gone through the impugned order.

The contention of learned counsel for the applicants is that Motorcycle and Mobile have already been recovered from the applicants and no investigation is to be made from them. He submits that the offence is triable by the Magistrate and the applicants are in jail since 11.05.2006, therefore, they may be enlarged on bail.

On the other hand, learned Public Prosecutor has opposed the bail application and submits that in such offence, the applicants should not be enlarged on bail.

I have considered the submissions made before me and carefully gone through the material available on record.

Taking into consideration the overall facts and circumstances of the present case, I think it just and proper to enlarge the accused applicants on bail.

Accordingly, the bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that the applicants (1) Narendra Singh and (2) Rajendra Singh both sons of Bodu Singh shall be released on bail in FIR No.17/2006 P.S. Jaswantgarh, District Nagore, provided each of them execute a personal bond in the sum of Rs.30,000/- with two sound and solvent sureties in the sum of Rs.15,000/- each to the satisfaction of learned trial court for their appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(SATYA PRAKASH PATHAK), J.